

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
July 28, 2014
4:00 P.M.

The Warrick County Commissioners met in regular session with Don Williams, President, Richard Reid, Vice President and Marlin Weisheit, Member.

President Don Williams called the meeting to order.

Auditor Secretary, Angie Leslie, recorded the minutes.

PLEDGE OF ALLEGIANCE

AREA PLAN COMMISSION

REZONING PETITIONS

PC-R-14-10 - Petition of Thompson Homes, Inc. Thomas Thompson II, President to rezone 6.03 acres located on the N and S side of Arbor Lake Dr. approximately 0' NE & SE of the intersection formed by Arbor Lake Dr. and Arbor Point Dr. from "C-4" General Commercial to PUD (Planned Unit Development) consisting of "C-4" General Commercial with a Development Plan (Primary Plat), being Lots 57, 58, 59, 60, 62 and 65 in Arbor Pointe Section 1 recorded in Doc. # 2008R-000250 in the office of the Warrick County Recorder, Ohio Twp. (Advertised in The Standard July 3, 2014.)

Don Williams: Okay, We'll start off with Area Plan Business. Ms. Rector, if you want to take that.

Sherri Rector: Thank you. The first item is Rezoning Petitions PC-R-14-10, Petition of Thompson Homes, Inc., Thomas Thompson, II, President, to rezone six point zero three (6.03) acres located on the north and south side of Arbor Lake Drive approximately zero (0) feet north east and south east of the intersection formed by Arbor Lake Drive and Arbor Pointe Drive from "C-4" General Commercial to PUD (Planned Unit Development) consisting of "C-4" General Commercial Zoning with a Development Plan (Primary Plat), being Lots 57, 58, 59, 60, 62 and 65 in Arbor Pointe Section I and it was a recommendation by the Planning Commission at their meeting for approval. You did see the proposed primary plat at your meeting two (2) weeks ago. This is simply changing from condominiums to townhomes, adding lots for each individual unit.

Don Williams: Okay, I need an Ordinance number.

Sherri Rector: County Commissioner Ordinance number 2014-22.

Rick Reid: And this is in flood zone 8E?

Sherri Rector: The portion where the building sites have been removed by a Letter Map Amendment.

Don Williams: Any questions from the Board?

Marlin Weisheit: I have none.

Don Williams: Is there anyone here to remonstrate for or again? If so please come and give your name and address.

Brett Semersheim: My name is Brett Semersheim with Morley and Associates, I'm representing Thompson Homes in this application. Just the reason...a couple of reasons for the request, with the townhomes we're going to have a zero (0) set back line. The walls are going to go right down the property lines. The other reasons for the changing in the lending provisions by the banks, they're more...they're going more to the townhomes, they'll lend money for a townhome rather than a condominium unit because a townhome you actually own the building and the outside property. Townhomes are now more desirable than the condo units and there is no proposed change in the plans or not much change in the outer appearance, they're existing condominiums on the south side of the road so it's pretty well going to be the same there. The maintenance is going to be by a home owners association instead of a condo owners association. So those are pretty well the reasons that we're wanting this.

Rick Reid: The condos have four (4) units in them don't they?

Brett Semersheim: Yes.

Don Williams: Are there any other questions from the Board?

Marlin Weisheit: I have none.

Don Williams: Are there anyone else here that would like to speak either for or against the rezoning? Hearing none I'll entertain a motion.

Rick Reid: I'll make a motion to approve PC-R 14-10-22.

Don Williams: Okay, which is Ordinance number 2014-22.

Rick Reid: Yes.

Marlin Weisheit: Second.

Don Williams: I have a motion and a second to approve Ordinance 2014-22. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Brett Semersheim: Thank you.

Don Williams: Thank you, Sir.

REQUEST FOR RELEASE OF SURETY

C-13-017 – Two Kins Investments, LLC, Wayne Kinney, Pres ~ 10766 SR 662 ~ \$15,449.00 ~ LOC expires 8/29/2014.

Sherri Rector: The next item is Request for Release of Surety, it is Commercial Driveway C-13-017, Two Kins Investments, LLC, Wayne Kinney, President, 10766 State Road 662 and we're holding fifteen thousand four hundred forty nine dollars (15,449.00). The application and dollar amount release has been approved by our County Engineer, Mr. Howard.

Don Williams: Is anyone here for that? If you would state your name and your interest.

Justin Shofstall: Justin Shofstall, Easley Engineering, 1133 West Mill Road, Evansville.

Don Williams: Justin, do you have anything you'd like to say?

Justin Shofstall: No, just as far as with the project was approved last year, it's been up and operating. The only thing different on the plans that were approved for construction we originally called out for the asphalt contractor, was given approval to substitute out with going with the concrete drive-way section. Other than that it's my understanding that everything else complies and request that we release the letter of credit for that drive-way.

Don Williams: Okay, Mr. Engineer?

Bobby Howard: I would concur and would recommend release of the surety.

Don Williams: Okay, any questions from the Board? If not I'll entertain a motion.

Marlin Weisheit: I'll make a motion to release the surety bond.

Rick Reid: Second.

Don Williams: I have a motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries.

Justin Shofstall: Thank you.

Sherri Rector: Thank you, that's all I have.

APPROVAL OF MINUTES

June 9, 2014 @ 4:00p.m...Regular Session
June 23, 2014 @ 4:00p.m...Regular Session

Don Williams: Okay, the next item we have minutes for regular sessions for June the 9th and June 23rd.

Rick Reid: Can we take those together?

Don Williams: If there's no objection we'll take them together. If there's any questions or changes let it be known. If not I entertain a motion.

Rick Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Motion by Commissioner Reid, a second by Commissioner Weisheit to approve the minutes. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

ITEMS FOR DISCUSSION

EMS Monthly Report

Don Williams: Okay, next we have our monthly EMS Report.

Tony O'Neal: Tony O'Neal with St. Mary's Warrick EMS. I have the Operational and the Financial Report for June 2014. We had three hundred eighty three (383) total ambulance runs in the county for June, two hundred thirteen (213) of those went to local hospitals, we had sixty four (64) refusals, forty eight (48) hospital transfers (forty seven (47) of those were out of Warrick Hospital and one (1) was out of Gateway) we had twenty six (26) others which were disregards, no patient or dead on scene and thirty two (32) private runs for the month. Our customer survey, we actually had no surveys that came back in June so we had nothing to go off of. And for the first time, actually in a long time, that we went one hundred percent (100%) on our response time rate for the county, so we had a very good month on response times.

Don Williams: You mean we didn't have any in the northern part of the county?

Tony O'Neal: Actually we did but we were positioned at that time that it fell into place for us so...

Don Williams: Well, great. I would like to share before I go to the Financial Report that Dusty Marchant was up in Indianapolis two (2) weeks ago for the American Legion State Award and he won the award for the whole State of Indiana, so I just wanted to let you guys...

Don Williams: What was the actual award? I remember hearing...

Tony O'Neal: Its call the Frank Gilbert Award and it's through the American Legion. First he won the Local, then he won the District, then he goes to the state level and then he's up against the entire state and won that, so that really says a lot about the service because that's three (3) out of the five (5) years that Warrick EMS has taken that state award.

Rick Reid: Congratulations.

Don Williams: It's for EMS Service I'm taking it?

Tony O'Neal: Yes.

Marlin Weisheit: Great.

Don Williams: Please extend Dusty our congratulations.

Tony O'Neal: I will do that.

Don Williams: I have actually...he came out and responded one of the calls for my Dad, he did a great job there so...I'm not surprised by him winning.

Tony O'Neal: Yeah, he's a good guy, a very good medic.

Don Williams: Okay, Financials.

Tony O'Neal: Yes, for the Financials for June we were about twenty two thousand four hundred dollars (\$22,400.00) under budget on collected revenue for the month and actually that really is all due from about St. Mary's. They had a software change, they implemented a new software called Symphony and through that process they have just definitely got behind on getting things lined out so I expect here in the next couple of weeks we should be getting a check from them for like twenty thousand dollars (\$20,000.00) that they owe EMS Service, so we'll get back on board at that point in time. Monthly expenses, we were about forty five thousand dollars (\$45,000.00) under budget on our operating expense, part of that was we had a credit for our workman's comp of about fifteen thousand dollars (\$15,000.00) back for this month so that helped out. We were over budget slightly on our medical supplies and our clothing allowance and our vehicle equipment. We had some air conditioning issues with some of the trucks. But that puts us about one hundred ten thousand dollars (\$110,000.00) under budget year-to-date for the service.

Don Williams: Okay, are there any questions from the Board?

Marlin Weisheit: I have none.

Rick Reid: None.

Don Williams: Okay, thank you for the report.

Tony O'Neal: Thank you.

Marlin Weisheit: Thanks, Tony.

Jim Heck, Grow Southwest Indiana Workforce ~ Update on Workforce Development

Don Williams: Jim, always good to see you.

Jim Heck: Good, I don't always hear that. I appreciate you giving me a little bit of time to update you on what we've doing. You know we just opened our office and Marlin was there for our grand opening. We opened our office here in Boonville, it's behind the Casey's out here on Millis. A nice location, things are starting to pick up out there, we're open Tuesdays, Thursdays and Fridays from 8-4:30. And business is starting to pick up there, the word is getting out that we're there, so just appreciate the support that you've given us and I hope going forward that if you hear of anybody looking, needing help with WorkForce needs please send them out to our Warrick County Office. We've got a good lady out there, Pat does a good job and...

Marlin Weisheit: Very impressive.

Jim Heck: Thank you, thanks Marlin, I really appreciate that. The other thing I want to let you know about is the 'Save the Date' postcard. Our annual meeting, we're required twice a year to meet with elected officials and our annual meeting is one of those meetings that we meet with elected officials. We want you to please attend. I think, Don, you

and Marlin have both attended at least one (1) in the past. It's a pretty good event where we honor our businesses of the year and our clients of the year. And this year we'll have Lt. Governor Ellsperman as our featured speaker and I think it'll be a pretty good event. It's on October the 3rd, 8:00 AM central time at the Ft. Branch Campus at Vincennes University. It really turns to be a good event and I hope you guys are able to attend.

Marlin Weisheit: I hope so too.

Don Williams: We'll try our best.

Jim Heck: I want to tell a little bit about our JAG Program. I'm really proud of our JAG Program. That's JAG, Jobs for America's Graduates. In the State of Indiana there are twelve (12) regions and in five (5) of those regions all their schools met the five (5) goals of JAG. Our region was one of those five (5). Those goals being graduation rate, job placement rate, positive outcome that means whether they went into the military or into post-secondary training. The total in full-time, whether it's military or job placement, and then the total in full-time jobs. We met or exceeded all five (5) of those and these are kids that are historically graduating at about a fifty percent (50%) rate and if you see here ours are graduating at almost a ninety five percent (95%) rate last year. A very good program, I think it does a really exceptional job. Hoosier initiative for re-entry program is another new program that we've started. It works with ex-felons trying to get them into employment to try to reduce the recidivism rate on felons. Our goal for the year...and Jody Gomez is the person in our office that works directly with the felons, was to place one hundred fifty (150) people into work from January until December. As of the end of May she had placed one hundred forty two (142), as of the end of June she had placed one hundred sixty (160). She's doing an incredible job. All of these people now are working and...well, with some exception, some of them have been laid off but most of those people are still working instead of what they were doing before, which is always a good thing. Then the last thing I wanted to talk about were some of the events, and I won't talk about all of these but on our Brain Power sheet some of the events that we're working on, what we're trying to do with these are improve the educational Workforce connection through career and technical education pathways. One of the things that will be coming up here on November 12th is the WorkForce and Education Conference where Dr. James Stone from the University of Louisville, he is the National Director for the National Career and Technical Education System will be our keynote speaker. We will have educators and manufacturers there talking about the issues that they have working together and pose the question to them 'what are the things that you can do that that do not take legislative action? What are some of the thing that you can do that do take legislative action?' Take those results to the New Works Council that's in our region and I'm sure that you guys are familiar with the Works Council that was created by Indiana's law this last year. They do have funding and they have the ear of the legislatures. Either way we can use both of those, funding and the legislation. So, that should be a good event and we hope that it's...we think it will be well attended, it will be at the Career and Tech Center there in Evansville in the...it's coming up November 12th. That is just a couple of things, plenty more here, I promised Don that I would be short which I usually don't promise many people.

Don Williams: You're fine. This one on November 12th that's going to be downtown?

Jim Heck: It's at the Career and Tech Center on Lynch Road.

Don Williams: Oh, okay.

Jim Heck: Yeah, Southern Indiana Career and Technical. Yeah, that's a nice location, it's got an assembly hall there, it holds a lot of people and we think we'll fill it.

Don Williams: What time is that going to start? And are we going to get an email on this?

Jim Heck: Yeah, you'll get an email, it starts at 8:00, it's probably a four (4) hour event because part of it will be round table discussions where we'll put educators and businesses at a round table preferably by county or by school corporation depending on how many school corporations are in a county so they can talk about their specific issues inside those counties or school corporations.

Don Williams: Okay, I appreciate all that you do because more and more in the area of economic development people are looking at workforce and availability of workforce and you can't bring industry in if all those things don't match up.

Jim Heck: Thank you.

Don Williams: You are appreciated.

Jim Heck: I really appreciate it and any time you guys need anything please don't hesitate to let me know.

Don Williams: Okay, thank you, Sir.

Jim Heck: Thank you.

Don Williams: I appreciate you coming in.

Rick Reid: Thanks.

Marlin Weisheit: Thanks, Jim.

DEPARTMENTAL REPORTS

COUNTY ADMINISTRATOR

Discuss Makeup/Appointment of Medical Oversight Board

Don Williams: Okay, Departmental Reports, Roger, do you want to take off?

Roger Emmons: Thank you, Mr. President. The first item I have is to discuss the Makeup/Appointment of the Medical Oversight Board. That will be in conjunction with the Emergency Medical Services which we are taking RFP's on as you know. I have nine (9) persons listed. It was recommended by one (1) of the providers and soon to be...

Don Williams: Actually two (2).

Roger Emmons: What's that?

Don Williams: I said actually two (2) of them I think two (2) providers actually mentioned that.

Roger Emmons: Oh, yes, you're right. That the Chief Medical Officers of our local hospitals be included on the Medical Oversight Board so I got those names from our local reps. Found out Dr. Vernon Maas is St. Mary's Vice-President of Medical Affairs, he has not responded at this time but his assistant, Ms. Anslinger, indicated she thought chances were good that he would serve. I did hear back from Dr. James Porter, who said he would be very interested in serving and that in his absence he would send Dr. Gina Hunky, I don't know how to pronounce it, but she is one of his assistants and one of the officers at Deaconess. Listed for Warrick County Administration, Don, our President of our Commissioners, Todd Glass, County Attorney, Larry Taylor, Executive Director of the Warrick County Economic Development Department, Sheriff Brett Kruse, Dallas Scott, Director of our Emergency Management Agency and last was a fire department representative and I was going to ask a fire chief, I called Steve Byers, he's fire chief of the Boonville Fire Department. He's going to be retiring in less than eight (8) months, he suggested his son, Steven, who is the assistant fire chief, would make a good representative as a fire department rep and that Steven is more educated than he is as far as the medical side of fire department services. He felt he'd be a good member on that Board. To be determined would be a provider ex-official would be a non-voting member of the Board. I have those names for your consideration if you want to take action at today's meeting.

Don Williams: I would like to go ahead and see us form that Board. While I'm not sure exactly when we'll need it, you know contingent on getting...

Roger Emmons: Dr. Maas.

Don Williams: I think if he doesn't do it he'll probably send a representative to do it from St. Mary's so... I entertain a motion to appoint that as our Medical Oversight Board.

Rick Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Okay, I have a motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Thank you.

Roger Emmons: Thank you very much. Speaking of the request for proposals, I emailed those out to the three (3) interested providers last Friday. They are due in the Commissioner's Office by 4:00 PM on Friday August the 22nd.

Judicial Center HVAC ~ Renewal of Scheduled Maintenance Program #777 and Water Treatment Program #778

Roger Emmons: The next item has to do with the Judicial Center HVAC Renewal of Scheduled Maintenance Program #777 and Water Treatment Program #778. We've had these programs since at least 2005. This is the original agreement and this book lists the terms and conditions and all of the equipment at that time. Over the years as equipment is replaced and they send...they update the list of this but the Commissioners have renewed for three (3) year terms, several times for more...a couple times I guess in that time and even though I don't think they've been quite fulfilling their obligations as far as giving us the renewed pricing adjustments, these two (2) programs I think have been really valuable with keeping that...you know, we've had so many problems with it and I think Harshaw Trane's expertise has really helped with these programs so I'd ask that the Commissioners approve by motion another three (3) year term. Those three (3) year terms would be July 1st of this year to June 30th of 2015 and on down the line till it ends on June 30, 2017. They are paid out of the Cumulated Capital Development Fund.

Don Williams: Do we have anything on the pricing then?

Roger Emmons: Yes, I emailed that...

Don Williams: I don't need to know the amount necessary, is there a raise in there or?

Roger Emmons: I think it was about a ten percent (10%) raise. Year one (1) is thirty five thousand two forty four (\$35,244.00), I think it was thirty three (\$33,000.00)...or thirty four thousand (\$34,000.00) the last time for the last one (1) year term so it hasn't raised much. And we have that in Cum Cap, more than enough to...

Don Williams: What about 2016 and 2017, does it give anything?

Roger Emmons: Thirty six thousand three hundred thirty four (\$36,334.00) for year two (2), thirty seven thousand four fifty eight (\$37,458.00) for year three (3). Now, those are the combined amounts. For example, the maintenance for this first year is twenty four thousand three hundred eighty eight dollars (\$24,388.00) and you added that to ten thousand eight fifty six (\$10,856.00) for the water treatment program and that gets your total of thirty five two forty four (\$35,244.00) for year one (1).

Don Williams: Okay, what's the will of the Board?

Marlin Weisheit: I think it pays off; I know it does, so I'll make a motion to approve to have access to Program #777 and #778.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries.

Roger Emmons: Thank you.

TruGreen Application for Peddler/Solicitor License ~ Approval Recommendation

Roger Emmons: The next item is our first Peddler's Application from TruGreen, their main office is in Evansville and I filled out the review form, emailed a copy of that to you on Friday and I recommend approval. They've got everything that's asked for in the ordinance in their application and on the form.

Marlin Weisheit: Make a motion to approve.

Rick Reid: Second.

Don Williams: Have a motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries.

Roger Emmons: Thank you very much.

Courthouse Roof

Roger Emmons: I have some other items for your consideration. On the Courthouse roof Embry's Roofing is going to be replacing the Courthouse roof. It's been approved by the insurance company, they're going to cover the whole cost of that. We're going to meet Wednesday, July 30th, that's this Wednesday, at 1:00 PM in the Commissioners Conference room with Mr. Robert Embry, who is the owner of that company, to discuss the set-up and all the aspects of the project.

Don Williams: Do you think that will be about a thirty (30) minute meeting probably?

Roger Emmons: Well, I do think it will be less than an hour but I don't know if thirty (30) minutes will get it or not, it might.

Don Williams: Okay, just trying to figure out how much time to allot.

Rick Reid: How long is that project going to take?

Roger Emmons: Well, that's going to be part of the discussion.

Rick Reid: It's going to be big.

Roger Emmons: The one thing I do know is that it's going to take him six (6) to eight (8) weeks after he orders the tile and I think he wanted to have this meeting with the commissioners before he ordered that tile, he wanted to talk to us first. So, 1:00, Wednesday if you're available.

Rick Reid: Yep.

Don Williams: Okay.

Marlin Weisheit: I'll be here.

Remodeling of WCCC Office

Roger Emmons: The next item is the remodeling of the Warrick County Community Corrections Office. At the last meeting you gave Joe and I the go ahead to look for architects. I did some research and contacted different people. I've got a listing there of about thirteen (13) different architects that have been recommended. The first A-F were on Debbie Bennett-Stearnsman's list that the Coalition has used on their projects. They've had good results with all of them. Architecture Plus, Mr. Tim Henning, that was recommend by Steve Sherwood. We've got three (3): American Structurepoint, Hafer Associates and PCI, and the individuals that were named as contacts, those were recommended by Dave Rector who's the manager of the Evansville Building Authority. Fosse & Associates Architects, Inc., The Kunkel Group, Inc., and Hafer Associates those three (3) were recommended by Pat Tuley who's with the Evansville Vanderburgh County School Corporations Building Department. I've added that Intek, which is one that Debbie had on her list, we've used them before, the last time was...

Don Williams: The Chandler EMS Station.

Roger Emmons: Yes, the Chandler EMS Station and he also designed the Warrick County Jail many years ago.

Don Williams: Also, he's retired.

Roger Emmons: Okay, she's got him on her list so...

Don Williams: I know, but he's retired and Conner Associates, Carl Conner has moved to Florida. So those two (2) would probably not be willing to do it. But we can contact Mr. Temme because he does do a good job and since this isn't a huge thing he might be interested in doing it but he did an outstanding job before on both.

Roger Emmons: And at a reasonable price.

Don Williams: At a very reasonable price. And got it done in very tight time constraints. The EMS project anyway.

Roger Emmons: If he's truly retired and doesn't wish to do anything do you have a preference after that?

Don Williams: I would have to call him, I assumed we were going to send out the...we have a drawing, right?

Roger Emmons: We can develop...that wasn't what was discussed at the last meeting but we can do that if that's what you want. As a professional service you can select one outright...

Don Williams: Yeah, we can.

Roger Emmons: We'll have to develop an RFP if that's what you want us to do.

Don Williams: I have a preference for using Warrick County people when we can.

Roger Emmons: Yeah, I agree and I think there's...

Don Williams: I know that the Michael L. Ewald Architect, I don't know him but he's Newburgh. Morley and Associates are also Warrick County. I don't know about Architects Plus, we might ask Mr. Sherwood to see if he is.

Roger Emmons: Okay.

Don Williams: I was thinking that Mr. O'Daniel had some kind of interior drawing of what he was wanting done over there though. He's not here today.

Roger Emmons: No, Joe...I'll have to defer to...

Don Williams: Just a pencil drawing cause most of these architects, you give them a pencil drawing and they'll go from that and come and look at it.

Roger Emmons: We can select however many you want and just take them over there and let them have a look at it, of course give them the drawing as well and that way we'd have a pre-proposal meeting.

Rick Reid: I don't have a problem with letting all of them look at it.

Roger Emmons: Okay.

Don Williams: As many that want to.

Roger Emmons: Is that a consensus from the Board?

Marlin Weisheit: Yeah, I mean, they won't all show up I'm sure.

Don Williams: If any of these aren't located in Evansville or Warrick County as far as I'm concerned they don't need to be invited.

Roger Emmons: As far as I know they all are either Evansville or Newburgh.

Don Williams: Okay.

Roger Emmons: Okay, we'll proceed with that.

Declaring vehicles surplus and available as trade-ins

Roger Emmons: The next item I'd like for you to declare three (3) vehicles as surplus and available as trade-ins. Bobby has purchased a 2007 International 8600 I assume that's a dump truck, Bobby?

Bobby Howard: Yes.

Roger Emmons: It is a dump truck?

Bobby Howard: It is a dump truck to replace our dirt patch truck that we had talked about several months ago.

Roger Emmons: We had three (3) older model trucks that were available as trade-ins and I would like for the Board to approve a motion declaring those as surplus to be used as trade-ins on the purchase of this new vehicle. I've listed the VIN numbers. It's a 1988 Ford (VIN# 1FDWK74A5JVA52403), 1993 International (VIN# 1HTSDPPN7PH511064) and a 1994 International (VIN# 1HTSHN2R8RH546525) and Angie has a copy of mine to put in the minutes of the VIN numbers.

Marlin Weisheit: I'll make a motion to approve that because you get more out of them on trade than you do trying to do them on auctions.

Don Williams: That's for sure.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries. Thank you.

Roger Emmons: Thank you.

WCCC – Renewal of Support and Maintenance Contract with PBS

Roger Emmons: Another issue for the Warrick County Community Corrections is renewal. The Support and Maintenance Contract with PBS that stands for Paperless Business Solutions, and I think Todd had a chance to review that, he may have been on vacation when he did.

Todd Glass: No, I did, I guess it's required by the Department of Corrections, it's something they have to have, and the increase is nominal...

Roger Emmons: Yeah, it's a defender database software.

Todd Glass: And the increase is nominal and the contract looked in order to me.

Don Williams: Okay, actually it's only seventy two dollars (\$72.00) for the entire year.

Todd Glass: Correct.

Don Williams: It's reasonable. Anything else from the Board? If not I'll entertain a motion.

Marlin Weisheit: I'll make a motion to approve the contract.

Rick Reid: Second.

Marlin Weisheit: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries three (3), zero (0).

Roger Emmons: Thank you, I think that's all that I have under my items unless the Board wishes to...has got any discussing informational items.

Don Williams: The meeting on the 11th for some reason I was thinking that was a 4:00 PM.

Rick Reid: I was thinking so too.

Don Williams: Has it been advertised yet?

Roger Emmons: No. I wrote down 5:00 PM but it's whatever you want to do.

Marlin Weisheit: I've got 5:00 PM.

Roger Emmons: Because that's a meeting day.

Don Williams: Oh, that's what it was.

Rick Reid: 5:00, that's right.

Todd Glass: It's immediately following.

Don Williams: It was 5:00 PM, okay, thanks for the reminder, so that's good.

Roger Emmons: That's all I have.

Don Williams: Thank you.

COUNTY AUDITOR

Claims

Don Williams: Okay, County Auditor, you have some claims for us?

Roger Emmons: Mr. President, the County Auditor has sent word that he would like me to present the claims.

Don Williams: Okay, we would rather have Angie do that but that's okay.

Roger Emmons: Through Angie, but the total claims are one million eight hundred twenty seven thousand three hundred twenty one dollars and thirty six cents (\$1,827,321.36).

Marlin Weisheit: Make a motion to pay the claims.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries. Anything else from the Auditor?

Roger Emmons: No.

COUNTY PURCHASING

Judicial Center's New Access Control System (Proximity Readers and Cards) (Taken under Advisement 7/14/14)

Don Williams: County Purchasing, Mr. Grassman.

Joe Grassman: Joe Grassman, Purchasing Manager. At your last meeting I opened and read quotes for the new Access Control System in the Judicial Center. We took the quotes under advisement. I've since had time to review the quotes especially the lowest bidder who was All American Locksmith and determine that he did comply with all of the information requested in the Invitation to Quote. I did receive several very positive comments about his past jobs he's done in the area from people that I think we can respect. Um, researched the company that his equipment he was going to install, they seem to be industry leaders. They offer a four (4) year warranty for their equipment which is the other seven (7) bidders, six (6) bidders only offered one (1) on theirs so I think we have some confidence on the quality of the equipment. With that all being said I think pursuant to the Indiana Code 36-1-12-5.3 which states that in this kind of situation the Board is required basically to award a public works project of this nature to the lowest responsible and responsive bidder, I think the bidder demonstrated himself to be responsible and responsive and of course he is the lowest bidder. With that being said it would be my recommendation for the Board to reward the Access Control System installment in the Judicial Center to All American Lock. The bid price is six thousand eight hundred ninety five dollars (\$6,895.00).

Rick Reid: That's a good price.

Don Williams: Okay, does anybody have a question?

Roger Emmons: It sure was.

Marlin Weisheit: I have none.

Rick Reid: No.

Don Williams: Okay, I entertain a motion.

Rick Reid: I'll make a motion to give that bid to All American Locksmith for the Judicial Center Access Control System.

Marlin Weisheit: Second.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries.

Joe Grassman: Does the Board have any questions?

Don Williams: Do you have anything else?

Joe Grassman: No.

Don Williams: Okay, that's it.

Marlin Weisheit: Thanks, Joe.

Rick Reid: Thanks, Joe.

COUNTY ATTORNEY

Ordinance on Fees Charged by Recorder's Office, 1st Reading

Don Williams: County Attorney, you have a couple of things for us?

Todd Glass: Yes, Mr. President proposed ordinance would that be 2014-23? And this proposed ordinance would amend the County Code of Ordinances Section 37.22 to provide for an exemption on fees from the Records Office for Warrick County documents. I have been working with Vonnie Hughes, County Recorder, and I appreciate her assistance in coming up with this language. I believe, Mr. President, it codifies what has been generally speaking the custom of the county to not charge itself for recording instruments. Now, the way that the draft of the ordinance in front of you reads is that any department of the county who has to record a document that is required by law to be recorded is exempted from fees. That does not therefore include documents that, let me give as an example, the Commissioners might decide you want recorded perhaps to be safer than sorry but might not be required to record. In that case you'd probably pay the fee to the Records Office for their trouble. But anything that's required whether it be rights-of-way,

easements, deeds, anything from the Area Plan, anything from Economic Redevelopment, all those would be exempted. So that's before the Board, Mr. President, for first reading.

Don Williams: Okay, any questions for the Board? If not I'll entertain a motion on Ordinance 2014-23.

Rick Reid: So moved.

Marlin Weisheit: Second.

Don Williams: I have a motion and a second to approve Ordinance 2014-23. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Todd Glass: Thank you, Mr. President.

Commissioner Resolution 2000-03 and Suspended Mineral Interests (Update)

Todd Glass: And secondly on an update regarding the Resolution 2000-03 and the dilemma that is being posed by the suspended mineral interests that was created by that Resolution. I did reach out to the oil and gas attorney that I was wanting to speak with, Mr. Ernst. As it turns out I got our confirmation without any cost, we just discussed it, and he confirmed our proposal was correct. We need to file a Quiet Title Action. So, Mr. President, with the Board's permission I will reach out now to Mr. Neff who has clients waiting for this resolution and confirm the process with him and I will share with you the step by step procedure for the Commissioners to consider and perhaps at the next meeting if need be you can give me specific instructions to proceed.

Rick Reid: You just need a consensus?

Todd Glass: Yeah, but I wouldn't need that today, I'll go ahead if it's...

Don Williams: I don't see a problem with it all, I have a question, since they did this on a resolution, how legal is a resolution? It's not a law.

Todd Glass: Well, what will happen is my proposal and Mr. Ernst confirmed was that the county will file a Declaratory Judgment Action here with a court asking that the title be quieted in the individual seeking those mineral interests back. Once that process is done the Court is going to say who owns those mineral interests. When that happens that's going to involve a particular mineral interest parcel number. I will come back to the Board and say 'Board, it is time to now pass a resolution removing that one (1) parcel from the Resolution 2000-03. And then what you'll be doing is one by one taking those mineral interests off of that resolution and getting them back on the tax rolls. That is something the Auditor's Office asked to do little by little rather than all in one swoop which would require too much work.

Marlin Weisheit: Thanks, Todd, I think that will work.

Todd Glass: So I will report back further, Mr. President after my discussion with Mr. Neff and then we'd get started on the first one. And that's all I have.

Don Williams: Okay.

COUNTY ENGINEER

No Parking Request ~ Citadel Circle (tabled from 7/14/14)

Don Williams: Mr. Engineer, you have a couple of items?

Bobby Howard: Yes, the first item I have is tabled from last meeting, it was request for no parking for Charleston Square Section 1. I believe the developer is here today and my understanding in regards to his request when he developed this subdivision he has some restrictions and covenants which actually require the lots in the development to have off street parking and if that was...if these were people in this development that were parking here he would have the ability to make them park off street. But the problem is that even though his intention was to have no on street parking the development across the street in the neighboring county has used the streets to store trailers and vehicles, which I had some photos of some trailers last week, and in that regard he would like to post 'No Parking' or have no parking to go with the original intention of his development when it was developed that the lot owners would have off street parking and there would be no on street parking and he needs our assistance in making that happen with posting it's no parking as it was originally intended. So, I would recommend approval of this based on the situation.

Rick Reid: Todd, you were going to get with him too weren't you?

Todd Glass: Well, I didn't until today but that is a correct summary of the dilemma because he could enforce those covenants and restrictions as to the lot owners but his problem is individuals that are not lot owners who are coming over from Vanderburgh County on adjacent properties. So, because of that what my thought was that he could enforce these covenants and restricts but they're against people that are not his lot owners so it sounds to me like if the commissioners would like to do that probably the signage is the only solution, hopefully.

Don Williams: They are roads that we've taken for maintenance already?

Bobby Howard: Yes, Sir.

Don Williams: Sir, would you state your name and who you represent.

Bruce Biggerstaff: Bruce Biggerstaff, 3638 Citadel Circle.

Don Williams: Do you have anything to add, Mr. Biggerstaff?

Bruce Biggerstaff: Yes, actually I would like you to do this and I am willing to buy the signs. I mean, when I can't get my equipment to and from the office because we have some huge equipment that we operate out of there at that site, I'd pay a truck driver to come in and he can't even get to the shop so delivery of our equipment in and out it costs me money so if...I would be willing to pay for the signs if that would help the county.

Don Williams: Well, we always like those kind of offers.

Bruce Biggerstaff: I'm not asking him to spend money that I wouldn't spend because it's just...getting in and out of our office space and our yard there getting our equipment in and out.

Marlin Weisheit: I see a safety concern that kind of bothers me too. People at night driving through there, somebody hitting some of that parked stuff, trailers and stuff sitting out there so, I mean, I agree with you, it needs to happen.

Don Williams: Okay, we've heard from Mr. Biggerstaff, we've heard the recommendation of our Engineer, any other discussion? If not I'll entertain a motion.

Rick Reid: I'll make a motion to put signs on both sides of that road, no parking signs.

Bruce Biggerstaff: I thank you.

Marlin Weisheit: I'll second it.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries. You have your wish, Sir.

Bruce Biggerstaff: Thank you.

Marlin Weisheit: Thanks.

Rick Reid: And you can get with Bobby if you want to help him with the cost on those things too.

Don Williams: Yeah, we always welcome that.

Bruce Biggerstaff: It's not a problem, seriously. I appreciate what you've done.

Rick Reid: Thank you, appreciate it.

Don Williams: Okay, go ahead Bobby, I know you've got another issue or two (2), you want to go ahead and bring up those...these are kind of late issues, I told him I didn't have any problem with you going ahead and bringing them up.

Supplemental Agreement number 7 for the Oak Grove Phase II Project

Bobby Howard: And I appreciate that. The first is Supplemental Agreement number 7 for the Oak Grove Phase II Project. I'm looking at the right-of-way that's going to be required for Bell Road, north of Oak Grove Road, it's determined that with the width that we require at the intersection, the original limits for that right-of-way were not sufficient and we need to add environmental documentation to that section of the right-of-way at a cost of eleven thousand seven hundred forty dollars (\$11,740.00) and this will allow us to proceed with right-of-way acquisition. So I'd recommend approve of Supplemental Agreement number 7 for the Oak Grove Road Phase II Project.

Marlin Weisheit: I'll make a motion to approve.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries three (3), zero (0).

Supplemental Agreement number 11 for the Lincoln Avenue Phase III Project

Bobby Howard: And the next one I have and the last item, would be Supplemental Agreement number 11 for the Lincoln Avenue Phase III Project and this is due to the location of a cemetery east of Old State Road 261 there near First Christian Church and on the preliminary study of Castle Cemetery. It's determined that we would need to realign the roadway to the north in order to provide construction limits that do not impact the grave sites of the cemetery and this would be at a cost of nine thousand four hundred dollars (\$9,400.00) and I would recommend approval of Supplemental Agreement number 11.

Rick Reid: That's a big savings over moving the cemetery too.

Bobby Howard: Yes it is.

Marlin Weisheit: I'll make a motion to approve Supplemental 11.

Rick Reid: Second.

Don Williams: Bobby, by moving this to the north no homes will be impacted on the north side of Lincoln?

Bobby Howard: No, no homes will be impacted, they'll be a slight right-of-way take which the home owners will be compensated for when we get to that point with them but it's a very minimal shift if I remember correctly.

Rick Reid: And those homes do sit back a lot, lot farther on the north side of the road too.

Bobby Howard: At that location.

Don Williams: I have a motion and a second on the floor. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries. Anything else?

Bobby Howard: No, Sir, that's all I have.

COUNTY SHERIFF

Don Williams: Sheriff, do you have anything, Sir?

Sheriff Kruse: I have nothing.

COUNTY ASSESSOR

Angela Wilder ~ Addendum to Contract with Tyler Technologies for Annual Adjustment & Cyclical Reassessment

Don Williams: County Assessor?

Roger Emmons: Mr. President, that item needs to be tabled until August 11th. It was mistakenly put on this agenda.

Don Williams: Okay, I entertain a motion to table the county assessor's item until August the 11th.

Rick Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Motion and second to table. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Motion carries, thank you.

COMMISSIONERS ITEMS FOR DISCUSSION

Commissioner Williams: Do you have anything further, Commissioner Reid?

Commissioner Reid: No.

Commissioner Williams: Commissioner Weisheit?

Commissioner Weisheit: No, Sir, I don't.

Commissioner Williams: Entertain a motion.

Commissioner Reid: Motion to adjourn.

Commissioner Weisheit: Second.

Commissioner Williams: We are adjourned, thank you.

DON WILLIAMS, PRESIDENT

RICHARD A. REID, VICE PRESIDENT

MARLIN WEISHEIT, MEMBER

ATTEST:

L.B. DUGAN, AUDITOR
WARRICK COUNTY, INDIANA